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July 7, 2023

BY ECF

Honorable Lewis J. Liman
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Michael Maldonado, et al v. City of New York et al
20-CV-7465 (LJL)

Your Honor:

I am a Senior Counsel in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, assigned to the defense of the above action. I write to respectfully request, with the consent of plaintiffs, an adjournment of the conference set by the Court for July 11, 2023, by an order of June 5, 2023. The conference had been originally set for May 5, 2023, in response to the plaintiffs' letter requesting a conference filed on April 27, 2023 (ECF No. 60) (the "Application"). This is the second request for adjournment of the conference.

There are two reasons for this request. First, the parties have continued to confer regarding the resolution of the matters raised by plaintiffs in their Application and the City is working on a solution to a discrepancy discovered in the Overtime Eligibility List used pursuant to the parties' settlement. The City anticipates that it will provide the plaintiffs with a proposed solution to correct any discrepancy or before July 21, 2023. After that date, the parties propose communicating with the Court to reschedule a conference, if necessary. The parties will, of course, promptly notify the Court if they succeed in resolving their dispute among themselves.

Second, defendants' counsel is unavailable on the date of the conference due to a previously scheduled non-party deposition in another matter., *John Doe v. City of New York, et al.*, 22-CV-2690 (PKC) (KHP), as to which I am the only assigned attorney. Due to my oversight this conflict was not noted earlier, for which I apologize and regret the inconvenience to the Court and the parties. The non-party witness is an Assistant District Attorney represented by the Office of the Special Narcotics Prosecutor, and it would not be possible to reschedule that deposition without the consent of the witness and several counsel, as well, most likely, a Court

order extending the discovery deadline in that case. (In addition, in that same matter, there are numerous other depositions scheduled throughout the month of July.)

Accordingly, in light of the above, defendants respectfully request, with plaintiffs' consent, to adjourn the conference set for July 11, 2023, to a date to be requested by the parties, if necessary, after July 21.

We thank the Court for its consideration of this matter.

Respectfully submitted,

Alan H. Scheiner /s/

Alan H. Scheiner
Senior Counsel

cc:

Via ECF

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ORDER: The conference scheduled for July 11, 2023 at 3:30pm shall be adjourned to July 21, 2023 at 3:30pm

Date: 7/10/2023

SO ORDERED.



LEWIS J. LIMAN
United States District Judge